

STEPHENSON, ACQUISTO & COLMAN
JOY Y. STEPHENSON, ESQ. (SBN 113755)
BARRY SULLIVAN, ESQ. (SBN 136571)
RICHARD A. LOVICH, ESQ. (SBN 113472)
KARLENE ROGERS-ABERMAN (SBN 237883)
303 N. Glenoaks Blvd., Suite 700
Burbank, CA 91502

Telephone: (818) 559-4477
Facsimile: (818) 559-5484

Attorneys for Plaintiff,
COMMUNITY HOSPITAL OF THE MONTEREY
PENINSULA, a California nonprofit corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE

COMMUNITY HOSPITAL OF THE
MONTEREY PENINSULA, a California
nonprofit corporation,

Plaintiff,

vs.

DAVE KINGSTON PRODUCE, INC.,
an Idaho Corporation; and GLOBAL
EXCEL MANAGEMENT, INC.; A
Canadian corporation, and DOES 1-25,
inclusive,

Defendants.

Case No.: CV 10-02041 EJD

~~PROPOSED~~ ORDER RE JOINT
STATEMENT IN RESPONSE TO
ORDER TO SHOW CAUSE

~~PROPOSED~~ ORDER

Having read the foregoing Joint Statement submitted by the parties in response to the Order to Show Cause setting forth the status of settlement efforts, and good cause appearing,

IT IS HEREBY ORDERED:

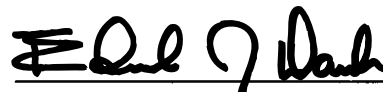
1. The Order to Show Cause presently scheduled for July 15, 2011 is hereby vacated;

2. The parties are ordered to appear before the Honorable Edward J. Davila on August 19, 2011 at 9:00 a.m. in Courtroom No. 1, 5th Floor, United States District Court, 280 South First Street, San Jose, California 95113, to show cause why the case should not be dismissed pursuant to Federal Rule of Civil Procedure 41(b); and

3. The Order to Show Cause shall be automatically vacated if a stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a) is filed on or before August 12, 2011.

If a dismissal is not filed on or before that date, the parties shall file a joint statement detailing the status of settlement efforts as well as the amount of additional time necessary to finalize and file the dismissal by August 12, 2011.

DATED: July 12, 2011



HON. EDWARD J. DAVILA
UNITED STATES DISTRICT JUDGE